

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

USA

§

vs.

§

NO: EP:22-M -02597(1)

(1) David Rene Arredondo

§

Charging District Case No.:

**WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)**

I, (1) David Rene Arredondo, understand that charges are pending against me in another district. I have been arrested in this district and taken before a United States Magistrate Judge who informed me of the charges, the applicable penalties, and of my right to: (1) retain counsel or request the appointment of counsel if I am unable to retain counsel; (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing, and or (4) a hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe the charged offense(s) has/have been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO:

\_\_\_\_\_ Preliminary Hearing.

\_\_\_\_\_ Preliminary hearing in El Paso but I request that a preliminary hearing be held in the prosecuting district

\_\_\_\_\_ Detention hearing.

\_\_\_\_\_ Identity Hearing

\_\_\_\_\_ Detention hearing in El Paso but I request that a detention hearing be held in the prosecuting district.

\_\_\_\_\_ Government withdrew Motion to Detain Defendant without Bond and agreed to a bond in the amount of \_\_\_\_\_.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Defendant's signature

\_\_\_\_\_  
Signature of defendant's attorney

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

UNITED STATES OF AMERICA	§	NO: EP:22-M -02597(1)
	§	
vs.	§	Ref: 1:22-MJ-00228
	§	
David Rene Arredondo	§	District of Columbia

**ORDER REGARDING RULE 5 HEARINGS AND ORDER OF REMOVAL**

David Rene Arredondo, Defendant, is charged in a proceeding pending in the United States District Court, District of Columbia, for violations of 18 U.S.C. § 1752, 40 U.S.C. § 5104, 18 U.S.C. § 231, and 18 U.S.C. § 111. Having been arrested in this district, Defendant was ordered to appear for a preliminary and identity hearing on November 1, 2022.

Following the contested evidentiary hearing, I found probable cause and also found that the Defendant is the person named in the arrest warrant in cause number 1:22-MJ-00228, in the District of Columbia.

The Defendant was granted bond at his initial appearance on October 27, 2022, and was released on October 31, 2022. The Clerk of this Court shall promptly transmit all documents and any bail to the charging district. The Defendant has been notified of the date of his next telephonic court appearance in the District of Columbia.

SO ORDERED in EL PASO, TEXAS, on November 1, 2022.



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LEON SCHYDLOWER  
UNITED STATES MAGISTRATE JUDGE

Based on AO 98 (Rev. 12/11) Appearance Bond

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

2022 OCT 31 AM 10:25

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

§  
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§  
§

v.

No. EP-22-MJ-02597-LS

(1) DAVID RENE ARREDONDO,

BY:      DEPUTY

APPEARANCE BOND

Defendant's Agreement

I, (1) David Rene Arredondo (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- to appear for court proceedings;
- if convicted, to surrender to serve a sentence that the court may impose; or
- to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- (1) This is a personal recognizance bond.
- (2) This is an unsecured bond of \$ \_\_\_\_\_.
- (3) This is a secured bond of \$10,000.00, secured by:
  - (a) \$1,000.00 in cash deposited with the court; OR
  - (b) the agreement of the defendant and each surety to forfeit the following cash or other property (*describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value*):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- (c) a bail bond with a solvent surety (*attach a copy of the bail bond, or describe it and identify the surety*):

Forfeiture or Release of the Bond

*Forfeiture of the Bond.* This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

*Release of the Bond.* The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Based on AO 98 (Rev. 12/11) Appearance Bond

**Declarations**

*Ownership of the Property.* I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

*Acceptance.* I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

October 31, 2022

*Date*



(1) **David Rene Arredondo**  
*Defendant's signature*

*Defendant's address*

*Defendant's phone number*

*Surety/property owner – address*

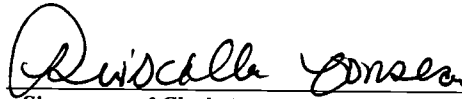
*Surety/property owner – phone number*

*Surety/property owner – printed name*

*Surety/property owner – signature and date*

October 31, 2022

*Date*



*Signature of Clerk, Deputy Clerk, or Pretrial Officer*

Approved.

October 31, 2022

*Date*



**LEON SCHYDLOWER**  
**UNITED STATES MAGISTRATE JUDGE**

Based On AO 199A-C, Order Setting Conditions of Release

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

UNITED STATES OF AMERICA,

v.

(1) DAVID RENE ARREDONDO,

§  
§  
§  
§  
§

No. EP-22-MJ-02597-LS

ORDER SETTING CONDITIONS OF RELEASE

On October 27, 2022, the defendant appeared before the undersigned:

- For an initial appearance and the conditions of the defendant's release were set.
- For a detention hearing and, pursuant to agreement of the parties, the conditions of the defendant's release were set.
- For a detention hearing and the Court found that there are conditions or a combination of conditions that will reasonably assure the defendant's presence as required and/or the safety of the community

**IT IS ORDERED** that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number. The defendant is ordered to reside at:

Dismas Charities, Inc., 7011 Alameda Avenue, El Paso, TX (915) 781-1122

- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at:

*If blank, defendant will be notified of next appearance.*

- (5) The defendant must sign an Appearance Bond, if ordered.



Based On AO 199A-C, Order Setting Conditions of Release

- court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
- (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.
- (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.
- Note:** Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.
- (q) submit to the following location monitoring technology and comply with its requirements as directed:
- (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
- Defendant shall wear an electronic monitoring device and shall follow all electronic monitoring procedures established by Pretrial Services;
  - Defendant shall stay at the following address  
and at no other place, unless permission to relocated is first obtained from the supervising Pretrial Services Office, and shall maintain a land line telephone, during the pendency of this cause.
- (ii) Voice Recognition; or
- (iii) Radio Frequency; or
- (iv) GPS.
- (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- (s) shall obtain and maintain a landline during the pendency of this case.
- (t) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (u) defendant must be drug tested within ten days of release.
- (8) Adam Walsh Conditions. The defendant must:**
- (a) Participate in the Computer Restriction and Monitoring Program and abide by all the rules and requirements of the program which will include manual inspection and/or the installation of computer monitoring software as deemed appropriate by Pretrial Services. The program will require the inspection of any computer; internet connected devices, wireless devices, modems, routers, or streaming media sticks, etc., located at your residence or place of employment. The program requires disclosure of the Internet Service Provider (ISP) information and username and passwords for computers, email accounts, and social network accounts. Pretrial Services will employ the use of electronic detection devices to evaluate access to Wi-Fi connections and assess compliance with conditions of release. Any attached or unattached buildings or structures or vehicles located at the residence are subject to inspection to assess compliance with this condition of release.
- (i). No Computers: The defendant is prohibited from possession and/or use of computers or connected devices.
- (ii). Computer-No Internet Access: The defendant is permitted use of one (1) computer or connected device or as ordered by the Court but IS NOT permitted access to the Internet. (World Wide Web, FTP Sites, IRC Servers, Instant Messaging, etc). Installation of Computer Monitoring Software is required.
- (iii). Computer with Internet Access: The defendant is permitted use of one (1) computer or connected device or as ordered by the Court and IS permitted access to the Internet for LEGITIMATE AND NECESSARY purposes as pre-approved by Pretrial Services at  Home  Employment  School/Education. Installation of Computer Monitoring Software is required.
- (iv). Consent of Other Residents: By consent of other residents in the home, any computers, and internet connected devices in the home utilized by other residents shall be approved by Pretrial Services and subject to inspection for compliance with conditions of release and verification that these devices are password and/or biometrically protected.
- (b) Participate in Specialized Treatment Services designed for pretrial defendants charged with or convicted of a sexual offense as directed by the Pretrial Services Officer.
- (c) Must not obtain, view, or possess any sexually explicit, sexually graphic, or erotic materials including images, movies, and printed material, in any form.

Based On AO 199A-C, Order Setting Conditions of Release

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- (d) Must have no contact with minor children under the age of eighteen and will not reside in a household where the victim(s) or minor children live unless approved by the Court.
- (e) Unless prohibited by another Judicial Officer, the defendant may have supervised contact with his/her minor children under the presence of a parent, guardian, or third party custodian who is aware of and understands the nature of the offense(s) charged.
- (f) Must not visit any areas within 100 yards of any school, day care center, park, or other place where children congregate.
- (g) Must not obtain employment or participate in any volunteer activity during which there is unsupervised contact with minors under the age of eighteen.
- (h) Must comply with the Sex Offender Registration and Notification Act (SORNA), state and local sex offender registration requirements.
- (i) Must not open any new lines of credit or bank accounts without prior approval of Pretrial Services. The defendant must provide financial statements as requested by Pretrial Services.

(9) **Other Conditions:**

**The defendant must**

Based On AO 199A-C, Order Setting Conditions of Release

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

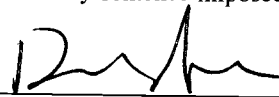
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

1. an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
2. an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
3. any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
4. a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



(1) David Rene Arredondo  
Defendant's Signature

**Directions to the United States Marshal**

The defendant is **ORDERED** released after processing.

**SIGNED AND ENTERED** on October 31, 2022.



LEON SCHYDLOWER  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

UNITED STATES OF AMERICA	§	NO: EP:22-M -02597(1)
	§	
vs.	§	Ref: 1:22-MJ-00228
	§	
David Rene Arredondo	§	District of Columbia

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SO ORDERED in EL PASO, TEXAS, on November 1, 2022.



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LEON SCHYDLOWER  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
DAVID RENE ARREDONDO

Case: 1:22-mj-00228
Assigned To : Magistrate Judge Upadhyaya, Moxila A.
Assign. Date : 10/24/2022
Description: Complaint w/ Arrest Warrant

EP:22-MJ-2597-1 LS

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of in the
in the District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Lists various U.S.C. sections related to restricted areas and physical violence.

This criminal complaint is based on these facts:

See attached statement of facts.

Continued on the attached sheet.

Handwritten signature of Gabriel Minjares

Complainant's signature

Gabriel Minjares, FBI Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 10/24/2022

Handwritten signature of Moxila A. Upadhyaya

Judge's signature

City and state: Washington, D.C.

Moxila A. Upadhyaya, U.S. Magistrate Judge

Printed name and title

## STATEMENT OF FACTS

Your affiant, Gabriel Minjares, is a Special Agent assigned to the United States Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), and I am currently assigned as a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) Joint Terrorism Task Force (JTTF). In my duties as a Special Agent, my duties include, but are not limited to, investigating cases of domestic and foreign terrorism, counter-proliferation, drug smuggling, human smuggling, financial crimes, and cyber crimes. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, S.E., in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m., members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

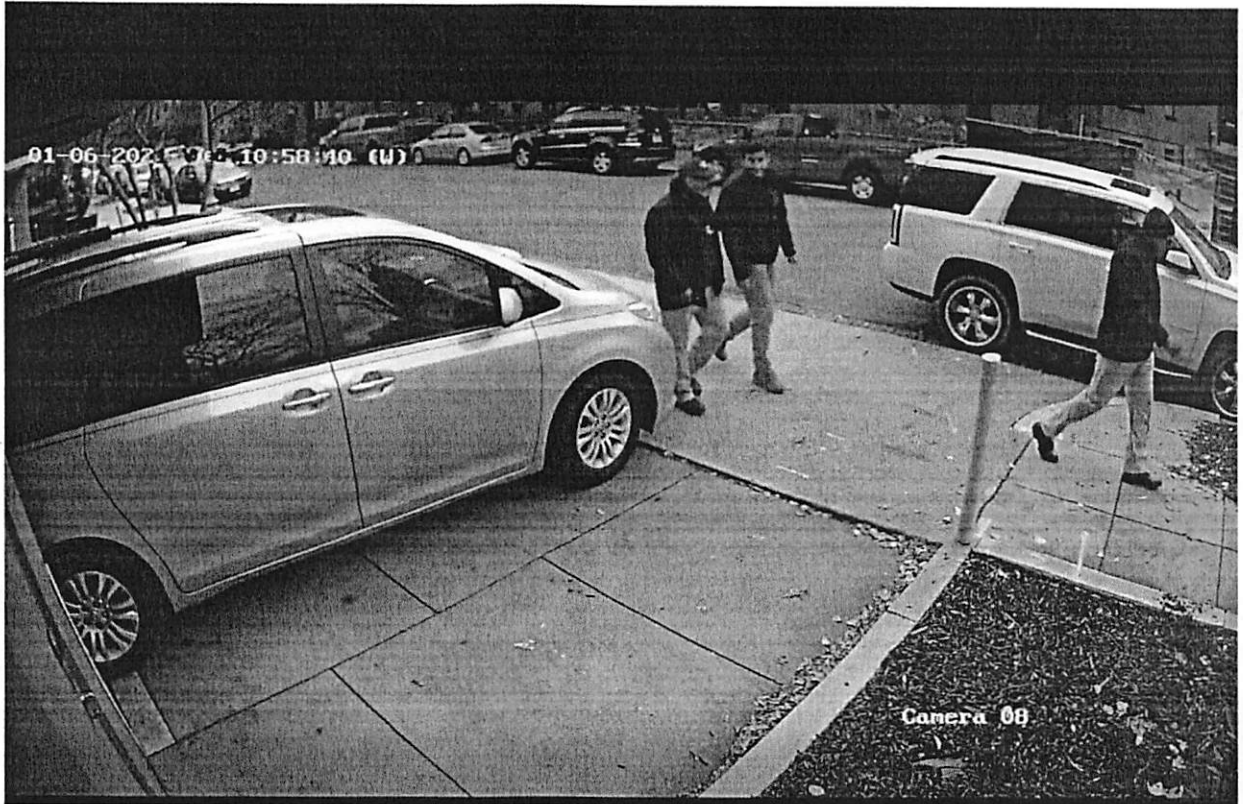
According to records obtained through a search warrant which was served on Google LLC, a mobile device associated with DAVID ARREDONDO; Google Identification Number, XXXXXXXXX2710; phone number, XXX-XXX-4920; account name, "Click Your Part"; and email, arredondodavidXXX@yahoo.com was present at the U.S. Capitol on January 6, 2021.<sup>1</sup> Google estimates device location by using several sources, including GPS data, information from nearby Wi-Fi access points and from Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) data. As a result, Google assigns a "maps display radius" for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a "maps display radius" of 10 meters to the location data point. Finally, Google reports that its "maps display radius" reflects the actual location of the covered device approximately 68% of the time. In this case, Google location data shows that a device associated with DAVID ARREDONDO; Google Identification Number, XXXXXXXXX2710; phone number, XXX-XXX-4920; account name, "Click Your Part"; and email, arredondodavidXXX@yahoo.com was in and around the U.S. Capitol Building during the time of 12:07 P.M. and 3:44 P.M. (approximate), which is during the known timeframe of the Capitol Building riot event on January 6, 2021.

A search of law enforcement and open-source databases identified DAVID ARREDONDO as residing at XXXX Morgan Marie, El Paso, TX 79936 and being associated to cellular phone number XXX-XXX-4920. Specifically, DAVID ARREDONDO listed phone number XXX-XXX-4920 as his home phone number and XXXX Morgan Marie, El Paso, TX as his residence on his Texas Driver's License application.

Law enforcement records checks and open-source research identified S.A. and S.H. as being relatives of DAVID ARREDONDO. Records obtained from Southwest Airlines revealed that DAVID ARREDONDO, S.A. and S.H. traveled together from El Paso, TX, to Washington, D.C. on January 4, 2021, and returned to El Paso on January 8, 2021. Additional records revealed that DAVID ARREDONDO, S.A. and S.H. stayed at a hotel in Washington, D.C., namely the Capitol Hill Hotel. A review of phone toll records received for a phone number belonging to S.A. showed phone calls made to the Capitol Hill hotel. Records received from the Capitol Hill Hotel identify that S.A. booked a hotel room for guests at the Capitol Hill Hotel from January 4, 2021, to January 8, 2021 (the Capitol Hill Hotel is approximately ½ mile from the Capitol Building). Capitol Hill Hotel video surveillance footage showed individuals matching the description of DAVID ARREDONDO, S.A. and S.H. enter the hotel together on January 4, 2021, and depart the hotel on January 6, 2021. A screenshot is included below showing DAVID ARREDONDO exiting the Capitol Hill Hotel on January 6, 2021:

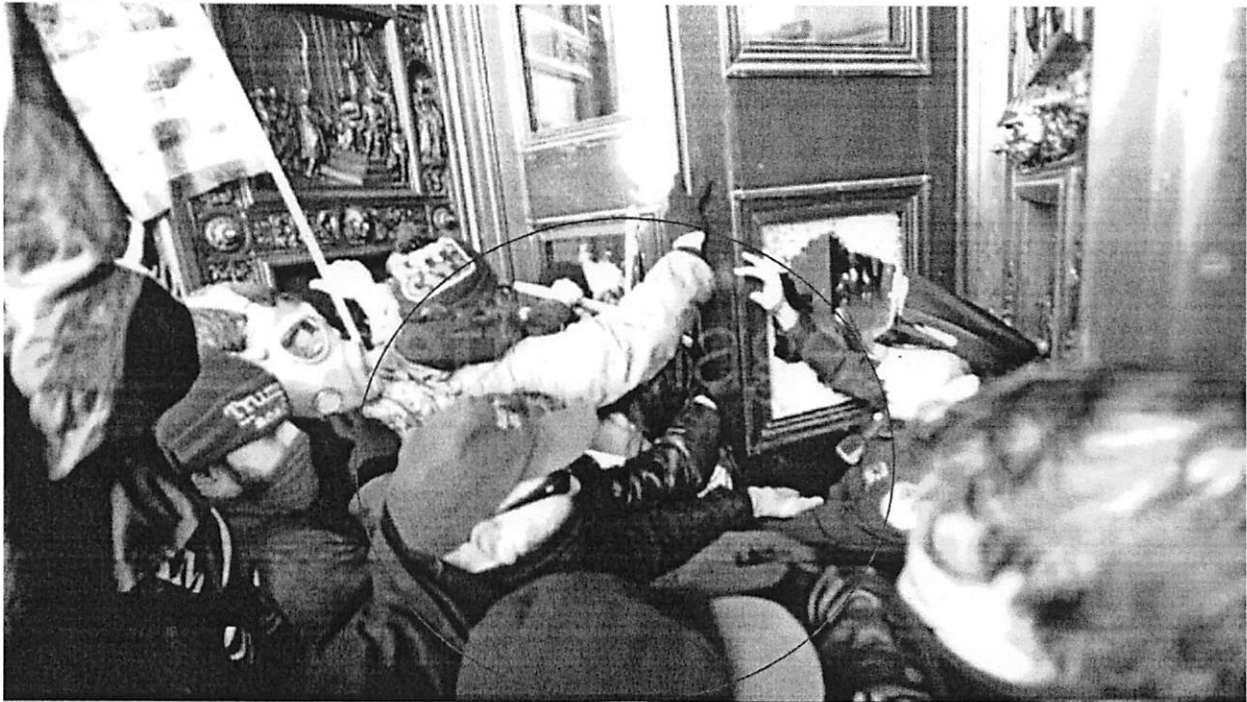
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<sup>1</sup> The full account numbers and other identifiers are known to your affiant; they are obscured here for the purposes of this public filing.



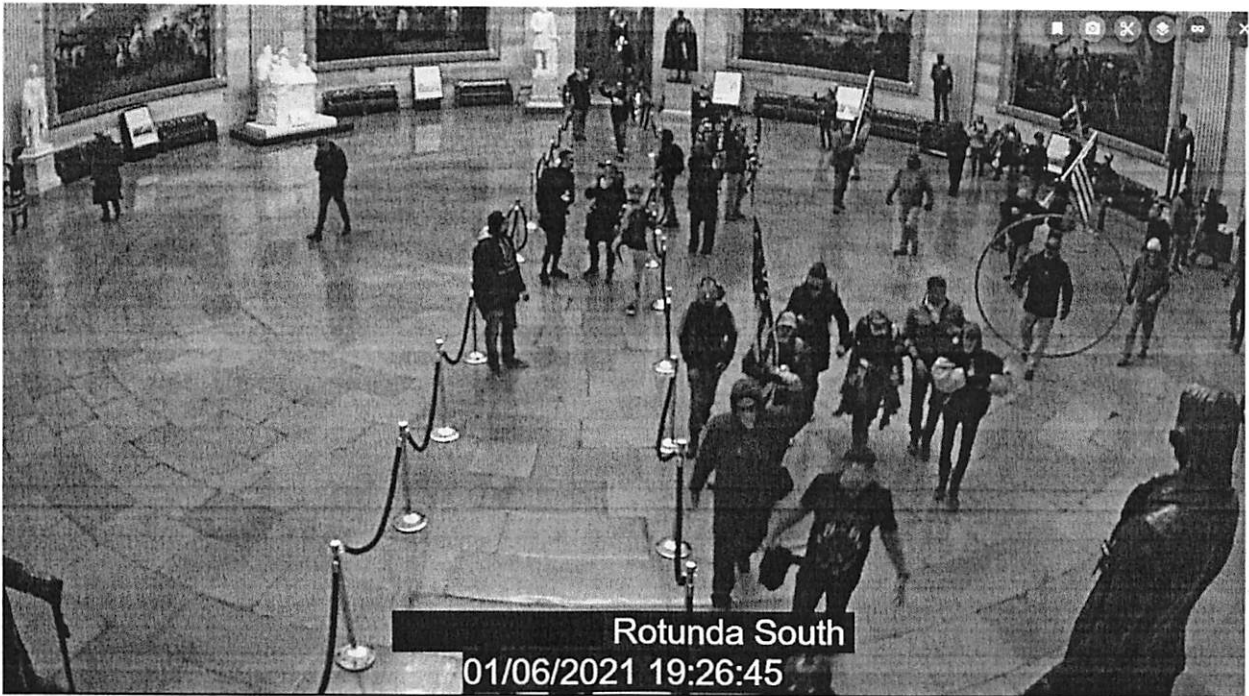
Additionally, geo-location information obtained from a search warrant served on Google LLC, revealed that a mobile device associated with DAVID ARREDONDO; Google Identification Number, XXXXXXXXX2710; phone number, XXX-XXX-4920; account name, "Click Your Part"; and email, arredondodavidXXX@yahoo.com was present at the Capitol Hill hotel from January 4, 2021 to January 8, 2021, and at the approximate times notated on the images above. Records obtained from Yahoo, Inc. indicate that the listed subscriber of the email account arredondodavidXXX@yahoo.com is DAVID ARREDONDO.

In addition to the above images of DAVID ARREDONDO, your affiant has also reviewed images taken from open-source videos and U.S. Capitol surveillance footage that indicate that DAVID ARREDONDO was observed inside and around the U.S. Capitol on January 6, 2021. Agents were able to locate video footage that matches the description of DAVID ARREDONDO, wearing the same clothing that he was wearing as he left the Capitol Hill Hotel in Washington, D.C. on the morning of January 6, making physical contact with a police officer trying to stop rioters from entering the Capitol doors. In the video, DAVID ARREDONDO can be seen grabbing the arm of a police officer who was surrounded by a mob of rioters. A different police officer can be seen being pulled away by the mob and falling to the ground. DAVID ARREDONDO can be seen grabbing the arm of the other police officer who is trying to keep a door to the Capitol shut, and attempting to pull the officer away from the door in an apparent effort to facilitate the entry of other rioters into the Capitol. A screenshot of this video footage is included below:



Additionally, agents were able to locate video footage of DAVID ARREDONDO inside the Capitol on January 6, 2021. The below screenshots are from third-party footage, as well as Capitol surveillance footage (CCTV) recorded on January 6 with red circles indicating the presence of DAVID ARREDONDO. A review of surveillance footage indicates that DAVID ARREDONDO appeared to have stayed inside the Capitol building for just under forty minutes, and entered and exited the building through the east Rotunda Doors.





On March 23, 2022, agents conducted an interview of an individual who knows DAVID ARREDONDO and S.A. personally (hereinafter "Witness 1"). Witness 1 stated Witness 1 has known DAVID ARREDONDO, and S.A. and their sister since childhood. Witness 1 was shown three separate six-panel photo lineups (one included DAVID ARREDONDO, one included S.A., and one included S.H.) Witness 1 positively identified DAVID ARREDONDO and S.A. in their

respective lineups. Although Witness 1 could not identify S.H. in his photo lineup, Witness 1 noted that the person in the number three (3) position of the lineup (S.H.) had the same smile as the sister of DAVID ARREDONDO and S.A., i.e., S.H.'s mother. Witness 1 was able to positively identify DAVID ARREDONDO and S.A. in the surveillance video obtained from the Capitol Hill Hotel. Agent showed Witness 1 less than 2 minutes of video footage of events that occurred at the U.S. Capitol building on January 6, 2021, but Witness 1 was unable to identify anyone on the videos shown at that time.

On April 13, 2022, agent conducted a follow-up interview with Witness 1 and showed eleven (11) additional video clips that contained video surveillance footage of the Capitol building taken on January 6, 2021. Witness 1 was not previously shown this video surveillance footage at Witness 1's prior interview. Witness 1 identified DAVID ARREDONDO on nine (9) of the eleven (11) video clips shown on April 13, 2022. Additionally, Agents showed Witness 1 an open-source video where Witness 1 identified DAVID ARREDONDO at approximately 1:09 minutes of the video. The video is the same video described above, which shows an individual believed to be DAVID ARREDONDO grabbing the arm of a police officer who was securing the entrance to the Capitol building. Agents showed the same video to Witness 1 during the March 23, 2022 interview, and at that time, Witness 1 was unable to identify DAVID ARREDONDO. However, as noted above, during the April 13, 2022 interview, Witness 1 was able to identify DAVID ARREDONDO after Witness 1 viewed additional videos and images of DAVID ARREDONDO that were not previously shown to Witness 1 in the prior interview on March 23, 2022.

Additionally, your affiant has conducted physical surveillance of DAVID ARREDONDO and compared the images above to his own observations of DAVID ARREDONDO as well as images of DAVID ARREDONDO on social media and in DAVID ARREDONDO's driver's license. Your affiant assesses that the person in the images above shown in and around the U.S. Capitol on January 6, 2021, and grabbing the police officer at the Capitol doors, is DAVID ARREDONDO.

Based on the foregoing, your affiant submits that there is probable cause to believe that DAVID ARREDONDO violated 18 U.S.C. § 1752(a)(1) and (2), and (4), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; (4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that DAVID ARREDONDO violated 40 U.S.C. § 5104(e)(2)(D), (F) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at

any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress, or (F) engage in an act of physical violence in the Grounds or any of the Capitol Buildings; or (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Your our affiant submits there is also probable cause to believe that DAVID ARREDONDO violated 18 U.S.C. 231(a)(3), which makes it unlawful to commit or attempt to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function. For purposes of Section 231 of Title 18, a federally protected function means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof. This includes the Joint Session of Congress where the Senate and House count Electoral College votes.

Finally, your affiant submits there is probable cause to believe that DAVID ARREDONDO violated 18 U.S.C. § 111(a)(1), which makes it a crime to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in 18 U.S.C. § 1114. Persons designated within Section 1114 include certain federal officers or employees or those assisting them, where such acts involve physical contact with the victim of that assault, while the officer or employee is engaged in or on account of the performance of official duties.

Respectfully submitted,



\_\_\_\_\_  
Gabriel Minjares  
HSI Special Agent/FBI Task Force Officer  
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 24<sup>th</sup> day of October 2022.



\_\_\_\_\_  
MOXILA A. UPADHYAYA  
UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**DAVID RENE ARREDONDO,**

**Defendant.**

**Case: 1:22-mj-00228**

**Assigned To : Magistrate Judge Upadhyaya, Moxila A.**

**Assign. Date : 10/24/2022**

**Description: Complaint w/ Arrest Warrant**

**VIOLATIONS:**

**18 U.S.C. § 1752(a)(1)**

**(Entering and Remaining in a Restricted Building or Grounds)**

**18 U.S.C. § 1752(a)(2)**

**(Disorderly and Disruptive Conduct in a in Restricted Building or Grounds)**

**18 U.S.C. § 1752(a)(4)**

**(Engaging in Physical Violence in a Restricted Building or Grounds)**

**40 U.S.C. § 5104(e)(2)(D)**

**(Disorderly or Disruptive Conduct Capitol Building)**

**40 U.S.C. § 5104(e)(2)(F)**

**(Act of Physical Violence in the Capitol Grounds or Buildings)**

**40 U.S.C. § 5104(e)(2)(G)**

**(Parading, Demonstrating, or Picketing in a Capitol Building)**

**18 U.S.C. 231(a)(3)**

**(Civil Disorder)**

**18 U.S.C. § 111(a)(1)**

**(Assaulting, Resisting, or Impeding Certain Officers)**

**ORDER**

This matter having come before the Court pursuant to the application of the United States to seal criminal complaint, the Court finds that, because of such reasonable grounds to believe the disclosure will result in flight from prosecution, destruction of or tampering with evidence,

and serious jeopardy to the investigation, the United States has established that a compelling governmental interest exists to justify the requested sealing.

1. IT IS THEREFORE ORDERED that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant application to seal, and this Order are sealed until the arrest warrant is executed.

2. IT IS FURTHER ORDERED that the Clerk's office shall delay any entry on the public docket of the arrest warrant until it is executed.

Date: October 24, 2022



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**MOXILA A. UPADHYAYA**  
**UNITED STATES MAGISTRATE JUDGE**

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America
v.
DAVID RENE ARREDONDO

Case: 1:22-mj-00228
Assigned To: Magistrate Judge Upadhyaya, Moxila A.
Assign. Date: 10/24/2022
Description: Complaint w/ Arrest Warrant

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) DAVID RENE ARREDONDO
who is accused of an offense or violation based on the following document filed with the court:

- Indictment, Superseding Indictment, Information, Superseding Information, Complaint, Probation Violation Petition, Supervised Release Violation Petition, Violation Notice, Order of the Court

This offense is briefly described as follows:

- 18 U.S.C. § 1752(a)(1) - Entering and Remaining in a Restricted Building or Grounds,
18 U.S.C. § 1752(a)(2) - Disorderly and Disruptive Conduct in a Restricted Building or Grounds,
18 U.S.C. § 1752(a)(4) - Engaging in Physical Violence in a Restricted Building or Grounds,
40 U.S.C. § 5104(e)(2)(D) - Disorderly or Disruptive Conduct in the Capitol Grounds or Buildings,
40 U.S.C. § 5104(e)(2)(F) - Act of Physical Violence in the Capitol Grounds or Buildings,
40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building,
18 U.S.C. § 231(a)(3) - Obstruction of Law Enforcement during Civil Disorder,
18 U.S.C. § 111(a)(1) - Assaulting, Resisting, or Impeding Certain Officers.

M. A. Upadhyaya (signature)

Date: 10/24/2022

Issuing officer's signature

City and state: Washington, D.C.

Moxila A. Upadhyaya, U.S. Magistrate Judge
Printed name and title

Return

This warrant was received on (date) 10/24/2022, and the person was arrested on (date) 10/26/2022
at (city and state) El Paso TX,

Date: 10/26/2022

(signature)

Arresting officer's signature

Gabriel Minjarez H81SA / FBI/TPD
Printed name and title

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**USA**

**vs.**

**Case Number: EP:22-M -02597(1) LS**

**(1) David Rene Arredondo**

**ORDER APPOINTING COUNSEL**

The above named Defendant has testified under oath, or has otherwise satisfied this court that he or she is financially unable to employ counsel, and does not wish to waive counsel.

Because the interests of justice so require, Erik Anthony Hanshew, a duly licensed attorney in this District is hereby appointed, pursuant to the provisions of the Criminal Justice Act, to represent said Defendant in this case.

This appointment shall remain in effect until further order of this court.

It is, accordingly, so **ORDERED** this **October 27, 2022**.



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**UNITED STATES MAGISTRATE JUDGE  
LEON SCHYDLOWER**

**United States District Court  
Western District of Texas  
El Paso Division**

**FILED**  
October 27, 2022  
Clerk, U.S. District Court  
Western District of  
Texas

By: VMedina  
Deputy

**UNITED STATES OF AMERICA**

§  
§  
§  
§  
§  
§

vs.

**Case Number: EP:22-M -02597(1) LS**

**(1) David Rene Arredondo**

*Defendant*

**ORDER SETTING IDENTITY / PRELIMINARY HEARING**

IT IS HEREBY ORDERED that the above entitled and numbered case is set for IDENTITY / PRELIMINARY HEARING in Magistrate Courtroom, Room 512, on the 5th Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, TX, on:

**Tuesday, November 01, 2022, at 09:30 AM**

**\*Zoom link will be sent out up to 24 hours prior to the setting\***

IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order to counsel for defendant, the United States Attorney, United States Pretrial Services and the United States Probation Office, and any surety or custodian, if applicable. Further, counsel for the defendant shall notify the defendant of this setting and, if the defendant is on bond, advise the defendant to be present at this proceeding via Zoom.

IT IS SO ORDERED this **October 27, 2022**.



\_\_\_\_\_  
LEON SCHYDLOWER  
UNITED STATES MAGISTRATE JUDGE

CLOSED

**U.S. District Court [LIVE]  
Western District of Texas (El Paso)  
CRIMINAL DOCKET FOR CASE #: 3:22-mj-02597-LS-1**

Case title: USA v. Arredondo

Date Filed: 10/27/2022

Date Terminated: 11/01/2022

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Assigned to: Judge Leon Schydlower

**Defendant (1)**

**David Rene Arredondo**  
*TERMINATED: 11/01/2022*

represented by **Erik Anthony Hanshaw**  
Federal Public Defender  
700 E. San Antonio Avenue  
Suite D-401  
El Paso, TX 79901  
(915) 534-6525  
Email: Erik\_Hanshaw@fd.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

RULE 5

**Disposition**

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**Plaintiff**

USA

represented by **Nathan Lee Brown**

US Attorney's Office-Western District of  
Texas  
700 E. San Antonio Ave., #200  
El Paso, TX 79901  
(915) 534-6884  
Email: nathan.brown@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/26/2022	<a href="#"><u>1</u></a>	Arrest (Rule 5/Rule 32.1) of David Rene Arredondo (Attachments: # <a href="#"><u>1</u></a> COMPLAINT) (mv) (Entered: 10/27/2022)
10/27/2022	<a href="#"><u>2</u></a>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Erik Anthony Hanshew as to David Rene Arredondo. Signed by Judge Leon Schydlower. (mv) (Entered: 10/27/2022)
10/27/2022	<a href="#"><u>3</u></a>	Minute Entry for proceedings held before Judge Leon Schydlower:Initial Appearance in Rule 5(c)(3)/ Rule 32.1 Proceedings as to David Rene Arredondo held on 10/27/2022 ORAL BOND SET (Minute entry documents are not available electronically.), Spanish Language Interpreter NOT required as to David Rene Arredondo (Court Reporter ERO-ZOOM.) (mv) (Entered: 10/27/2022)
10/27/2022		ORAL ORDER BOND SET as to David Rene Arredondo, Bond set as to David Rene Arredondo (1) \$10K-10% C.D. by Judge Leon Schydlower. (mv) (Entered: 10/27/2022)
10/27/2022	<a href="#"><u>4</u></a>	ORDER SETTING IDENTITY / PRELIMINARY HEARING via ZOOM as to David Rene Arredondo, ( Identity Hearing set for 11/1/2022 09:30 AM before Judge Leon Schydlower, Preliminary Hearing set for 11/1/2022 09:30 AM before Judge Leon Schydlower,). Signed by Judge Leon Schydlower. (mv) (Entered: 10/27/2022)
10/27/2022	<a href="#"><u>5</u></a>	AMENDED ORDER SETTING IDENTITY / PRELIMINARY HEARING - IN PERSON as to David Rene Arredondo, ( Identity Hearing set for 11/1/2022 02:30 PM before Judge Leon Schydlower, Preliminary Hearing set for 11/1/2022 02:30 PM before Judge Leon Schydlower,). Signed by Judge Leon Schydlower. (mv) (Entered: 10/27/2022)
10/27/2022	<a href="#"><u>6</u></a>	NOTICE OF ATTORNEY APPEARANCE Nathan Lee Brown appearing for USA. . Attorney Nathan Lee Brown added to party USA(pty:pla) (Brown, Nathan) (Entered: 10/27/2022)
10/31/2022	<a href="#"><u>8</u></a>	APPEARANCE Bond Filed as to David Rene Arredondo in amount of \$ \$10K-10% C.D.. Receipt # 597. (Attachments: # <a href="#"><u>1</u></a> UNREDACTED BOND)(mv) (Entered: 10/31/2022)
11/01/2022	<a href="#"><u>9</u></a>	Minute Entry for proceedings held before Judge Leon Schydlower:Preliminary Hearing as to David Rene Arredondo held on 11/1/2022 PROBABLE CAUSE FOUND (Minute entry documents are not available electronically.), Identity Hearing as to David Rene Arredondo held on 11/1/2022 IDENTITY ESTABLISHED (Minute entry documents are not available electronically.), Spanish Language Interpreter NOT required as to David Rene Arredondo (Court Reporter ERO.) (ep1) (Entered: 11/02/2022)
11/01/2022	<a href="#"><u>10</u></a>	EXHIBITS by USA as to David Rene Arredondo (ep1) (Entered: 11/02/2022)
11/01/2022	<a href="#"><u>11</u></a>	ORDER REGARDING RULE 5 HEARINGS AND ORDER OF REMOVAL as to David Rene Arredondo. Signed by Judge Leon Schydlower. (ep1) (Entered: 11/02/2022)
11/02/2022	<a href="#"><u>12</u></a>	Notice to District of Columbia of a Rule 5, Rule 32, or Rule 40 Appearance as to David Rene Arredondo. Your case number is: 1:22-MJ-00228. Docket sheet and documents attached. (If you require certified copies of any documents, please send a request to

		TXWD_ECF_help@txwd.uscourts.gov. If you wish to designate a different email address for future transfers, send your request to InterDistrictTransfer_TXND@txnd.uscourts.gov.) (ep1) (Entered: 11/02/2022)
11/02/2022	<a href="#">13</a>	TRANSCRIPT REQUEST by USA as to David Rene Arredondo for proceedings held on 11/1/2022 before Judge Schydlower. Proceedings Transcribed: Identity and Preliminary Hearing. Court Reporter: ERO. (Brown, Nathan) (Entered: 11/02/2022)